

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4

April 13, 2022

ENGROSSED HOUSE
BILL NO. 3351

By: McCall, McBride and
Crosswhite Hader of the
House

and

Pugh of the Senate

```
[ revenue and taxation - credit for parent donations
to teachers - credit amount per child - codification
- effective date ]
```

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2357.501 of Title 68, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Child" means a person under eighteen (18) years of age who is enrolled part-time or full-time at a public preschool or a public elementary or secondary school which is primarily used for classroom instruction;

2. "Classroom teacher" means a person employed by a school district to teach students specifically identified classes for specifically identified subjects during the course of a semester, and who holds a valid certificate or license issued by and in

1 accordance with the rules and regulations of the State Board of
2 Education; and

3 3. "Parent" means the natural or adoptive parent or legal
4 guardian of a child.

5 B. For taxable years beginning after December 31, 2022, there
6 shall be allowed a credit against the tax imposed pursuant to
7 Section 2355 of Title 68 of the Oklahoma Statutes in the amount of
8 one hundred percent (100%) of the total amount of monetary donations
9 made by a parent directly to his or her child's classroom teacher
10 during a taxable year.

11 C. The credit authorized pursuant to this section shall not
12 exceed One Thousand Dollars (\$1,000.00) per child per taxable year.

13 D. The credit authorized pursuant to this section may not be
14 used to reduce the tax liability of the taxpayer to less than zero
15 (0).

16 E. To the extent not used, the credit authorized by this
17 section may be carried over, in order, to each of the three (3)
18 subsequent taxable years.

19 F. The total credits authorized pursuant to this section for
20 all taxpayers shall not exceed Five Million Dollars (\$5,000,000.00)
21 annually. In the event the total tax credits authorized by this
22 section exceed Five Million Dollars (\$5,000,000.00) in any calendar
23 year, the Tax Commission shall permit any excess over Five Million
24 Dollars (\$5,000,000.00), but shall factor such excess into the

1 percentage adjustment formula for subsequent years. The Tax
2 Commission shall annually calculate and publish by the first day of
3 the affected year a percentage by which the credits authorized by
4 this section shall be reduced so the total amount of credits used to
5 offset tax does not exceed Five Million Dollars (\$5,000,000.00) per
6 year. The formula to be used for the percentage adjustment shall be
7 Five Million Dollars (\$5,000,000.00) divided by the credits claimed
8 in the second preceding year.

9 G. In consultation with the State Department of Education, the
10 Oklahoma Tax Commission shall promulgate rules necessary to
11 implement and administer the credit authorized in this section. The
12 rules shall include a process for a parent to anonymously make
13 monetary donations to his or her child's classroom teacher.

14 SECTION 2. This act shall become effective January 1, 2023.

15 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
16 April 13, 2022 - DO PASS
17
18
19
20
21
22
23
24